

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

\*\*\* FILED \*\*\*  
09/13/2000

09/08/2000

CLERK OF THE COURT  
FORM R109B

THE HONORABLE SHERRY HUTT

K. Wendroff  
Deputy

CR 1999-004532

FILED: \_\_\_\_\_

STATE OF ARIZONA

CAROLYN K PASSAMONTE

v.

SALVATORE DIGIUSEPPI  
DOB: 03/06/46

BRUCE FEDER

APO-SENTENCINGS-CCC  
APPEALS-CCC  
DISPOSITION CLERK-CCC  
MCSO-DIS  
RFR  
VICTIM WITNESS DIV-CA-CCC

SUSPENSION OF SENTENCE - PROBATION GRANTED

10:10 a.m. State is represented by Carolyn Passamonte.  
Defendant is present and represented by Bruce Feder.

Court Reporter, Lynn Cronin, is present.

The Defendant is advised of the charge, the determination  
of guilt and is given the opportunity to speak.

The victim is given the opportunity to address the Court.

A statement submitted by the victim has been reviewed by  
the Court.

THE COURT FINDS that reasonable efforts have been made to  
give the victim notice of the plea proceeding and an opportunity  
to be heard.

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Pursuant to A.R.S. Section 13-607,

THE COURT FINDS AS FOLLOWS:

WAIVER OF JURY TRIAL: The Defendant knowingly, intelligently and voluntarily waived his/her right to a trial by jury after having been advised of his/her right to same. The determination of guilt was based upon a trial to the Court.

Having found no legal cause to delay rendition of judgment and pronouncement of sentence, the Court enters the following judgment and sentence:

IT IS THE JUDGMENT of the Court that the Defendant is guilty of the crimes of:

OFFENSE: COUNT I (AMENDED): FORGERY, a class 4 felony, nondangerous and nonrepetitive offense in violation of A.R.S. Sections 13-2002, 701, 702, 708, 709, 801, 804, 901, 902 committed on January 19, 1999.

Upon consideration of the offense, the facts, law and circumstances involved in this case, the Court finds that the Defendant is eligible for probation. The specific reasons for the granting of probation are stated by the Court on the record.

As punishment for this crime(s),

IT IS ORDERED suspending imposition of sentence and placing the Defendant on probation as to Count(s) I for a period of 5 years commencing September 8, 2000 under the supervision of the Adult Probation Department of this Court, in accordance with the formal Judgment and Order suspending sentence and Order imposing terms of probation signed by the Court.

As a condition of probation,

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IT IS ORDERED that probation in this cause shall run concurrent with probation in PVCR95-08939.

THE COURT FURTHER FINDS that the terms of probation should include incarceration in the Maricopa County Jail as a term and condition of probation.

IT IS ORDERED that the Defendant shall self-surrender to the Maricopa County Jail commencing Saturday September 16, 2000 at 5:00 p.m. and not be released until the following Sunday September 17, 2000 at 5:00 p.m. and Defendant shall self-surrender every Saturday thereafter at 5:00 p.m. to be incarcerated for 24 hours each week until December 30, 2000.

IT IS FURTHER ORDERED that the Defendant shall self-surrender to the Maricopa County Jail commencing Friday January 5, 2001 at 5:00 p.m. and not be released until the following Sunday January 7, 2001 at 5:00 p.m. and Defendant shall self-surrender every Friday thereafter at 5:00 p.m. to be incarcerated for 48 hours each week until June 29, 2001. This term may be modified at the recommendation of the supervising probation officer.

IT IS ORDERED that the Defendant shall complete 360 total hours of Community Service, at the rate of 20 hours each month commencing January 1, 2001.

IT IS ORDERED that the Defendant pay a monthly probation service fee to the Clerk of the Superior Court of Maricopa County at a rate of \$40.00 commencing on October 1, 2000 and due on the same day of each month thereafter during the term of probation.

RESTITUTION: IT IS ORDERED the Defendant shall make and pay restitution to the victim(s) of this crime, for the economic loss of the victim(s), through the Clerk of the Superior Court in the total amount of \$40,000.00. Restitution is owed in the following amounts to the following persons:

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Pasquale and Enrica Carotenuto

\$40,000.00

Payment is to be made in regular monthly payments of \$400.00 commencing October 1, 2000 and on the same day of each month thereafter until paid in full.

Restitution ledger provided.

IT IS ORDERED that the state will not allege any sentence enhancement allegations related to defendant committing an offense while on probation. No further charges related to the construction of the Caratenuto's home.

The written terms and conditions of probation are handed to the Defendant for explanation, acceptance and signature. The Defendant agrees to the stated waiver of extradition. The Defendant is advised concerning the consequences of failure to abide the conditions of probation.

The Defendant is advised concerning rights of review after conviction and written notice of those rights is provided.

IT IS ORDERED Defendant self surrender to the custody of the Sheriff of Maricopa County and authorizing the Sheriff to carry out the initial term of incarceration beginning September 16, 2000.

ISSUED: Order of Confinement and Self-Surrender Instructions.

IT IS ORDERED Defendant self-surrender to the custody of the Sheriff of Maricopa County and authorizing the Sheriff to carry out the deferred term of incarceration beginning January 5, 2001.

ISSUED: Order of Confinement and Self-Surrender Instructions.

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IT IS FURTHER ORDERED exonerating any bond previously  
posted in this matter.

ISSUED: Order Exonerating Bond.

FILED: Conditions of Probation and Notice of Rights of  
Review after Conviction.

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Let the record reflect that the Defendant's thumbprint is permanently affixed to this sentencing order in open court.

10:35 a.m. Matter concludes.

/s/ THE HONORABLE SHERRY HUTT  
JUDICIAL OFFICER OF THE SUPERIOR COURT

(thumbprint)